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EXAMINER

ANYA, CHARLES E

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2194

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/674,879

Applicant(s)

WIECZOREK ET AL.

Examiner

Charles E. Anya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3/MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/29/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 7/12/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-31 are pending in this application.

Claim Objections

2. Claim 21 is objected to because of the following informalities:

Claim 21 appears to include an omission of "and" on line 3 of claim 21.

For the purpose of this office action the Examiner would insert "and" after "translates" on line 3 of claim 21.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

The following terms lack antecedent basis:

- i. "the server" on lines 3 and 4 of claim 1.

For the purpose of this office action the Examiner would change "the server" to "the object server".

- ii. "the predetermined instruction" on line 1 of claim 8.

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For the purpose of this office action the Examiner would change “the predetermined instruction” to “the first predetermined instruction”.

iii. “the instruction” on line 3 of claim 25.

For the purpose of this office action the Examiner would change “the instruction” to “the second programming language instruction”.

The following terms does not clearly point out Applicants invention:

iv. “substantially” on line 3 of claims 7,10 and 11.

For the purpose of this office action the Examiner would delete “substantially” from the respective claims.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1,2,9,10,12-17 and 29-30 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,928,457 B2 to Jacobs et al.**

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7. As to claim 1, Jacobs teaches a data processing system (Col. 11 Ln. 19 – 30, comprising an object server to provide access to a remote object (“...RMI object...” 10 Ln. 29 – 67), a first object registry for publishing first access data for locating and accessing the remote object via the object server (“...name tree...” Col. 5 Ln. 7 – 10, “...JNDI-compliant naming service...”/ Server 302 Col. 14 Ln. 23 – 47), a second object registry for publishing second access data for locating and accessing the remote object via the object server (“...duplicate...” Col. 5 Ln. 7 – 10, “...replicated naming service...”/Server 303 Col. 14 Ln 23 – 47); and a client hosting a client application requiring access to the remote object (Client 304 Col. 14 Ln. 48 – 67); the client application being arranged to issue a request to receive access data for locating and accessing the remote object; the access data being supplied by at least one of the first and second object registries in the form of at least one of the first or second access data (“...stub...” Col. 14 Ln. 48 – 57); the object server being arranged to supply the access data to the first and second object registries (“...add RA stub...” Col. 14 Ln. 31 – 33).

8. As to claim 2, Jacobs teaches a data processing system as claimed in claim 1, further comprising an intermediate registry, hosted by an intermediate registry server, for servicing at least one of the request for access data and an access data publication request comprising the access data for locating and providing access to the remote object (RA RMI Stub 580 Col. 11 Ln. 19 – 56).

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9. As to claim 9, Jacobs teaches a data processing system as claimed in claim 1, in which the first and second access data are supplied to the first and second registries using a second predetermined instruction (“...add RA stub...” Col. 14 Ln. 31 – 33).

10. As to claim 10, Jacobs teaches a data processing system as claimed in claim 9, in which the second predetermined instruction is arranged to supply the first and second access data to the first and second object registries simultaneously (“...add RA stub...” Col. 14 Ln. 31 – 33).

11. As to claim 12, Jacobs teaches a data processing system as claimed in claim 1, in which the first and second object registries are hosted by first and second servers respectively that are operated in active and stand-by modes so that the request for access data is processed by the first server; the first and second servers comprising means to migrate a communication channel for carrying the request from the first server to the second server in the event of a fault associated with the first server such that the second server services subsequent requests for access data server (“...name tree...” Col. 5 Ln. 7 – 10, “...JNDI-compliant naming service.../ Server 302 Col. 14 Ln. 23 – 47” “...duplicate...” Col. 5 Ln. 7 – 10, “...replicated naming service.../Server 303 Col. 14 Ln 23 – 47).

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12. As to claim 13, Jacobs teaches a data processing system as claimed in claim 12, in which the published access data is supplied to the first server and mirrored to the second server (Col. 5 Ln. 7 – 10, "...add RA stub..." Col. 14 Ln. 31 – 33).

13. As to claims 14-16, see the rejection of claim 1.

14. As to claim 17, see the rejection of claims 1 and 2 above.

15. As to claims 29-30, see the rejection of claim 1 above.

16. **Claims 18-27 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pub. No. 2000099970 A1 to Zhao et al.**

17. As to claim 18, Zhao teaches an intermediate registry server comprising means to receive a request for access data associated with an object accessible via an object server ("...binding...binding interceptor...bind method..." page 3 paragraphs 0034-0036), and, in response to the request, means to request the access data from first and second object registries storing the access data ("...alternative server..." page 3 paragraphs 0035/0036); and means to respond to the request by forwarding the access data returned from at least one of the first and second object registries ("...return..." page 3 paragraph 0035/0036, figures 5/6 page 3 paragraphs 0040/0041).

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18. As to claims 19,20 and 31, see the rejection of claim 18 above.

19. As to claim 21, Zhao teaches a method as claimed in claim 20, in which the step of issuing at least the first request comprises the steps of issuing a prior request for access data to an intermediate server that translates and the forwards the prior request to first and second requests for that data to the first and second remote object registries respectively (“...alternative server...”/“...another object reference...” page 3 paragraphs 0035/0036).

20. As to claim 22, Zhao teaches a method as claimed in claim 20 further comprising the step of providing a first programming language instruction implementing a post of access data; the first programming language instruction comprising first and second parameters representing references to first and second access data accessible via the first and second remote object references respectively (“...alternative server...”/“...another object reference...” page 3 paragraphs 0035/0036).

21. As to claim 23, Zhao teaches a method as claimed in claim 22 in which the step of providing a first programming language instruction comprises the step of modifying an existing programming language instruction implement the request for access data (“...alternative server...”/“...another object reference...” page 3 paragraphs 0035/0036).

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22. As to claim 24, Zhao teaches a method as claimed in claim 23 in which the step of modifying an existing programming language instruction comprises the step of modifying a Java bind or rebind instruction to utilize the first and second parameters (“...binding interceptor...Java...alternative server...” page 3 paragraphs 0034-0036).

23. As to claim 25, Zhao teaches a method as claimed in claim 20, further comprising the step of providing a second programming language instruction implementing a request for the access data; the second programming language instruction comprising first and second parameters representing references to first and second access data accessible via the first and second remote object references respectively (“...alternative server...” page 3 paragraphs 0034-0036).

24. As to claim 26, Zhao teaches a method as claimed in claim 25 in which the step of providing a second programming language instruction comprises the step of modifying an existing programming language instruction implement the request for access data (“...alternative server...”/“...another object reference...” page 3 paragraphs 0034-0036).

25. As to claim 27, Zhao teaches a method as claimed in claim 26 in which the step of modifying an existing programming language instruction comprises the step of modifying a Java lookup instruction to utilize the first and second parameters (“...alternative server...” page 3 paragraphs 0034-0036).

Claim Rejections - 35 USC § 103

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. **Claims 3-8,11 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,928,457 B2 to Jacobs et al. in view of U.S. Pat. 20020099970 A1 to Zhao et al.**

28. As to claim 3, Jacobs is silent with respect to a data processing system as claimed in claim 2, in which the intermediate registry maps the request for access data to two access requests; the two access requests being directed to respective ones of the first and second registries and being in respect of the first and second access data respectively.

Zhao teaches a data processing system as claimed in claim 2, in which the intermediate registry maps the request for access data to two access requests/the two access requests being directed to respective ones of the first and second registries and being in respect of the first and second access data respectively ("...alternative server..." page 3 paragraph 0035).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Jacobs by the teaching of Zhao because the teaching of Zhao would improve the system of Jacobs by providing a process for reducing failures associated with selecting a server located in a distributed object oriented computing environment (Zhao page 1 paragraph 0010).

29. As to claim 4, Zhao teaches a data processing system as claimed in claim 2, in which the intermediate registry maps the access data publication request to two access data publication requests/each of the two object access data publication requests being directed to respective ones of the first and second registries and both containing the access data for locating and providing access to the remote object (“...alternative server...” page 3 paragraph 0035).

30. As to claim 5, Zhao teaches a data processing system as claimed in claim 4, in which the first and second access data are derived from the access data for locating and providing access to the remote object (“...alternative server...” page 3 paragraph 0035).

31. As to claim 6, Zhao teaches a data processing system as claimed in claim 1, in which the request to receive access data comprises means to invoke a first predetermined instruction arranged to support access to at least one of the first and

second object registries and to request at least one of the first and second access data respectively (“...alternative server...” page 3 paragraph 0035).

32. As to claim 7, Zhao teaches a data processing system as claimed in claim 6, in which the first predetermined instruction is arranged to support access to both the first and second object registries and to request both the first and second access data simultaneously (“...alternative server...” page 3 paragraph 0035).

33. As to claim 8, Zhao teaches a data processing system as claimed in claim 7, in which the first predetermined instruction is a Java bind instruction modified to provide access to the first and second object registries and to request the first and second access data (“...binding interceptor...Java...alternative server...” page 3 paragraphs 0034-0036).

34. As to claim 11, Zhao teaches a data processing system as claimed in claim 10, in which the second predetermined instruction is a Java lookup instruction modified to provide the first and second access data to the first and second object registries simultaneously (“...alternative server...” page 3 paragraphs 0034-0036).

35. As to claim 28, Jacobs teaches a method as claimed in claim 20, further comprising the steps of reflecting data associated with the first remote object server to the second remote object server; migrating address data associated with the first

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remote object server to the second remote object server ("...adds a RA stub..." Col. 14 Ln. 23 – 47); and directing the access request, originally intended for the first remote object server, to the second remote object server ("...name tree...duplicate..." Col. 5 Ln. 7 – 10, "...JNDI-compliant naming service..."/ Server 302/"...replicated naming service..."/Server 303 Col. 14 Ln. 23 – 47).

Conclusion

36. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Filterfresh: Hot Replication of Java RMI Server Objects by Arash Baratloo et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Anya whose telephone number is (571) 272-3757. The examiner can normally be reached on M-F (8:30-5:00).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Charles E Anya
Examiner
Art Unit 2194

cea.



WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER